

# **2002 Annual Report**



**U.S. Probation Office  
for the  
Northern District of Ohio**

**United States District Court  
Northern District of Ohio**

**~ District Judges ~**

Paul R. Matia, Chief Judge  
Lesley Wells  
James G. Carr  
Solomon Oliver Jr.  
David A. Katz  
Kathleen McDonald O'Malley  
Peter C. Economus  
Donald C. Nugent  
Patricia A. Gaughan  
James S. Gwin  
Dan Aaron Polster

**~Senior District Judges ~**

John M. Manos  
John W. Potter  
Ann Aldrich  
David D. Dowd Jr.  
Sam H. Bell

**~ Magistrate Judges ~**

Jack B. Streepy  
David S. Perelman  
James S. Gallas  
Patricia A. Hemann  
Vernelis K. Armstrong  
Nancy A. Vecchiarelli  
George J. Limbert  
William H. Baughman Jr.

## Table of Contents

Report of the Chief Probation Officer .....	1
Northern District of Ohio .....	2
Figure 1 Northern District of Ohio by County .....	4
INVESTIGATIONS .....	5
Quality Control .....	5
Figure 2 Presentence Reports .....	6
SUPERVISION .....	7
Figure 3 Offenders Under Supervision .....	8
Figure 4 Offenders Under Supervision by Offenses .....	8
Figure 5 Offenders Under Supervision by Type .....	8
Figure 6 Offenders Under Supervision by Gender .....	9
Figure 7 Offenders Under Supervision by Race .....	9
Figure 8 Average Age of Offenders .....	9
Community Corrections Center Liaisons/Prerelease Assignments .....	10
Community Sanctions Center .....	10
Intake Unit .....	10
Home Confinement .....	10
Figure 9 HCP Monitoring Breakdown .....	11
Figure 10 HCP by Supervision Type .....	12
Figure 11 HCP Monitoring Costs .....	12
Aftercare Treatment .....	13
Figure 12 Drug & Alcohol Aftercare Expenditures .....	14
Figure 13 Mental Health Aftercare Expenditures .....	14
Criminal Justice Forum .....	14
SAFETY .....	15
Firearms .....	15
Defensive Tactics .....	15
Pepper Spray .....	15
First Aid/CPR .....	15
Safety Manual .....	15
ADMINISTRATIVE SERVICES .....	16
Space and Facilities .....	16
Financial Management .....	16
Figure 14 2002 Expenditures .....	16
Automation .....	17
Figure 15 Computers by Type .....	17
HUMAN RESOURCES .....	18
Personnel .....	18
Training and Development .....	18
Figure 16 Workforce by Gender .....	19
Figure 17 Workforce by Ethnicity .....	19
Figure 18 Probation Officer Experience .....	20
Figure 19 Educational Level of Probation Officers .....	20
Figure 20 Tenure of Probation Staff .....	20
Figure 21 Probation Office Organizational Chart .....	21
OFFICE LOCATIONS .....	22

## **Report of the Chief Probation Officer**

Fiscal year 2002 began with security as the main concern among the Government's primary institutions. Our attention in Probation was on cooperation with federal law enforcement in the identification of possible terrorists amongst those under supervision. Assurance of safety in the workplace included new procedures for opening of mail. Staff became more vigilant in the performance of everyday duties. Office and field safety took on additional meaning. We worked together and, I believe, grew closer and stronger.

The primary accomplishment of the year, in addition to the assurance of a safe work environment, was the successful move of the Cleveland Office into the newly constructed Carl B. Stokes U.S. Court House. The smoothness of the relocation was the result of excellent preparation by many of our administrative and technical support staff. All staff assisted in one way or another to ease the transition and to maintain our services to the Court and public. We now have a Headquarters which is a more accurate reflection of our role within the judiciary.

The work of the District, as measured in the number of presentence investigations and persons under supervision, continued to grow and reach record levels. Promotions of specialists in the areas of treatment, risk control, home confinement and computer crimes were designed to increase our ability to manage non-compliant behavior of offenders within the framework of growing numbers. We will continue this initiative in the coming year within the context of a revised Supervision Monograph 109.

Firearms and defensive tactics training remain a priority. We still have to complete the nationally mandated transition to the .40 caliber semiautomatic. That will be accomplished prior to the end of calendar year 2002.

As fiscal 2002 drew to a close, there was uncertainty as to budget for 2003. It is anticipated that there will be cuts. We will be forced to look closely for ways of remaining effective within a leaner operation. Nevertheless, the outlook for the coming year is positive. Our staff has shown a resilience in the past year, which will allow us to collectively meet the challenges of 2003.

*John J. Peet III*

## Northern District of Ohio

The work of the Probation Office in this District has a rich history. Over the years, staff have continued to provide quality investigative and supervision services for the Court, U.S. Parole Commission, Bureau of Prisons and military authorities.

The Northern District of Ohio includes 40 counties in northern Ohio from Indiana to the Pennsylvania border. Our District is part of the Sixth Circuit, ranking 2nd in workload in the Circuit and approximately 20th of the 94 districts nationally.

Although the Federal Probation System was established by Congress in 1925, our District probation services commenced on February 12, 1940 with the first officer appointment in Cleveland.

At the helm of this operation for the past 62 years have been five Chief Probation Officers.

As the system began to grow, it became apparent that the Chief needed an assistant, and in 1971 Joseph G. Pilla became the first Deputy Chief. He served under Chief Myron E. Patterson (deceased) and four years later was promoted to Chief Probation Officer. John Dierna (deceased) assumed the position of Deputy Chief for Chief Pilla in 1975. In 1988, Lenora Barry became Deputy Chief for Chief Koenning. Mrs. Barry is the first African-American female to hold that post in this District and in the entire system as well. Subsequently, two additional Deputy Chief positions were created and were filled by John J. Peet III (now Chief) and Peter F. French (retired). In 2000 Roy Saenz was promoted to Deputy Chief.

We recognize and salute our Chiefs and Deputy Chiefs, under whose guidance and leadership during their tenure the Probation Office has evolved into an integral part of the Court.



John J. Peet III  
Chief Probation Officer  
2000 - Present



Lenora Barry  
Deputy Chief Probation  
Officer  
1988 - Present



Roy Saenz  
Deputy Chief Probation  
Officer  
2000 - Present

## CHIEF PROBATION OFFICERS



F. Emerson Logee  
1940 -1948



Myron E. Patterson  
1948 - 1975



Joseph G. Pilla  
1975 - 1987



Keith A. Koenning  
1987 - 1999

## DEPUTY CHIEF PROBATION OFFICERS



John Dierna  
1975 - 1988



Peter F. French  
1998 - 2001

# Northern District of Ohio by County

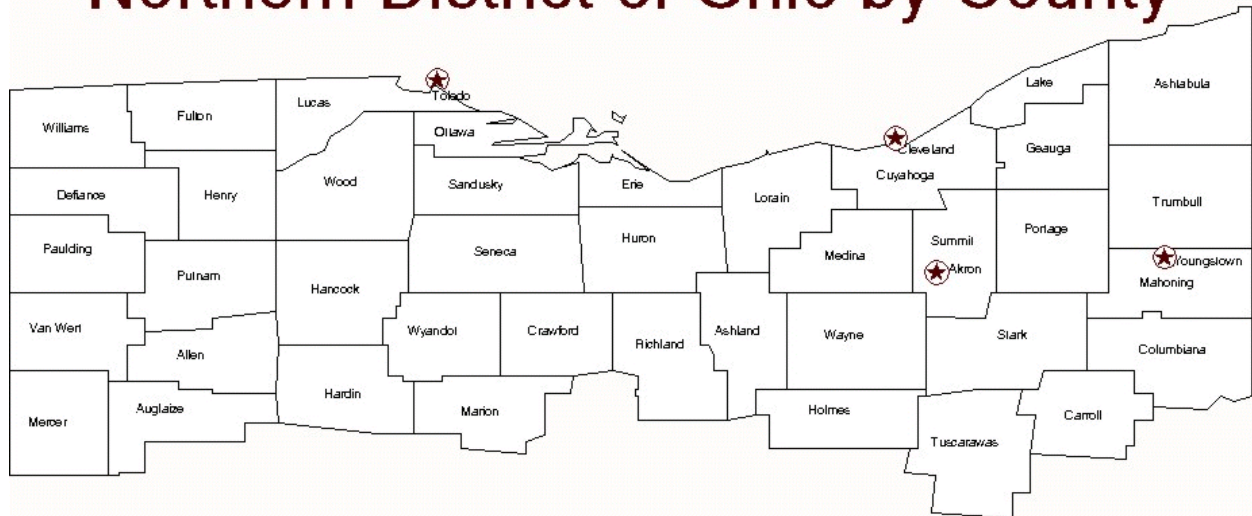


Figure 1 Northern District of Ohio by County

For the past 20 years, the Cleveland Probation Office was housed in private space. That changed in July, when the Cleveland Court family was reunited in the new courthouse. We now have the space, the staff and the resources to perform the Court's work.



Toledo



Cleveland



Akron



Youngstown

# INVESTIGATIONS

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Presentence Units continued to experience growth with report assignments. We set another record by receiving a total of 901 presentence and 3 post sentence report assignments. This was an increase of 44 over last year's total of 860 reports.

Reports were submitted by 20 writers and reviewed by 3 supervisors. Overall, the needs of the Court in presentence investigations were met.

We achieved our goal of a balance in assignments per officer throughout the District. The highest number of reports completed by one officer during the fiscal year was 66 versus 83 last year. This year's lower number was attributed to increased staffing and better coordination by supervising probation officers.

In May, Presentence Units participated in an off-site conference, where guest speakers included representatives from the United States Attorney's Office Criminal Division and the Financial Litigation Unit. Also, the Federal Public Defender's Office presented information on criminal history computation, placing emphasis on the application of felony convictions that classify defendants as career offenders. Our in-house sentencing and guideline specialists and presentence officers provided training in the areas of financial documents and computer crimes. In June, two Cleveland Office probation officers attended the Federal Bar Association's Guidelines seminar in Palm Springs, California.

These annual events will remain a staple for the continued growth of our Presentence Units.

## **Quality Control**

This year, we again focused on quality control. Supervisors conducted training in thorough investigation, guideline application, timeliness, format consistency, communication with relevant agencies and providing the Court with well-reasoned recommendations. Presentence Unit officers were reminded of their obligation to present the Court with independent views of the defendants to be sentenced.

The Chief and Deputy Chiefs conducted reviews of reports at time of first disclosure, utilizing a review format that identified areas in need of improvement. This practice will be ongoing as a way to improve the quality of our work.

The next fiscal year will provide more opportunity for growth through new appointments, rotation of current officers and promotion of specialists to assist supervisors in Presentence Units.



# Presentence Reports

As of September 30, 2002

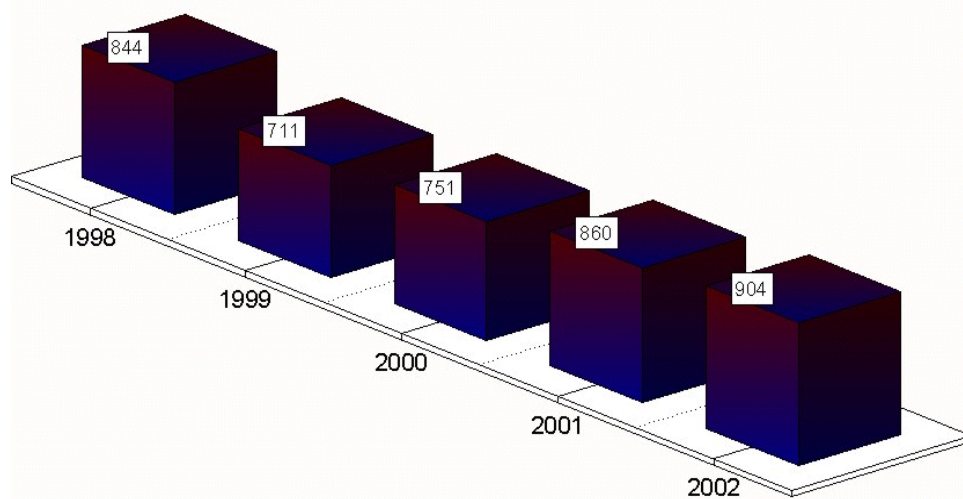


Figure 2 Presentence Reports

# SUPERVISION

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At the end of fiscal year, there were 1,774 offenders on supervision. This number reflected an increase of 52 offenders. The District continued to concentrate on field-based supervision, recognizing the need to see offenders in their homes and at their places of employment.

As hiring of probation officers increased, we were able to assign more officers to supervision. During the year, 40 officers were exposed to the supervision function. Four full-time supervisors and another supervisor 50% of the time were engaged in providing supervision oversight to those officers. Caseload sizes were reduced, moving toward national standards.

Training of newly assigned officers became a major goal. In May, supervision officers and their supervisors attended the 6th Circuit Supervision Training in Ypsilanti, Michigan. Participants felt the shared training experience with officers from other districts was productive.

Three special offender specialists, a home confinement specialist and a computer crimes specialist were promoted and assigned to the Cleveland and Akron Offices. These promotions broadened our efforts to direct more attention to risk control.

We endeavored to keep the Court and other jurisdictional authorities advised of offender non-compliance. Officers submitted 661 violation reports to the Court with an on-time rate of 94%. Continued improvement was also evidenced in the timely submission of Initial Case Supervision Plans and in the six-month Case Reviews.

The District initiated DNA testing as required under Public Law No. 106-546. By the end of the fiscal year, 89 offenders with qualifying offenses had been tested.

In fiscal year 2003 we will continue to address financial issues, concentrating on Fine and Restitution conditions as well as Community Service conditions.

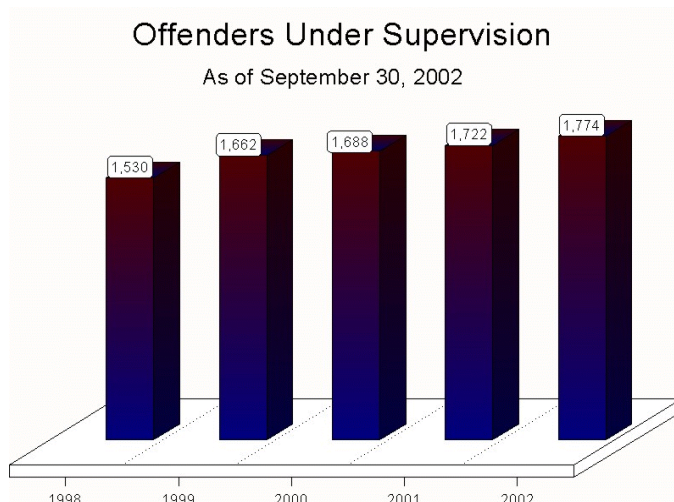


Figure 3 Offenders Under Supervision

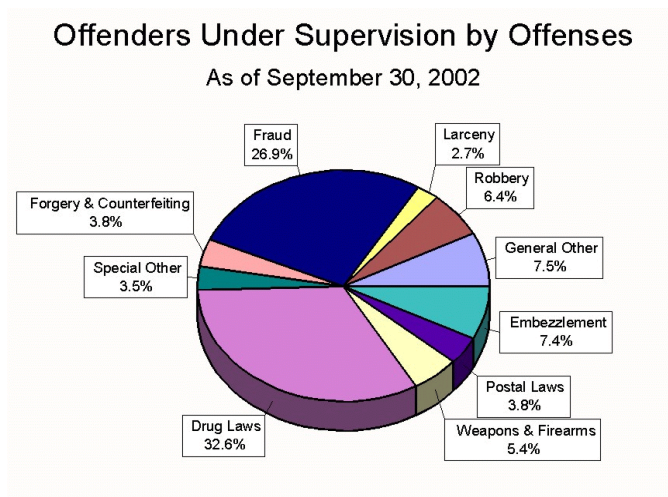


Figure 4 Offenders Under Supervision by Offenses

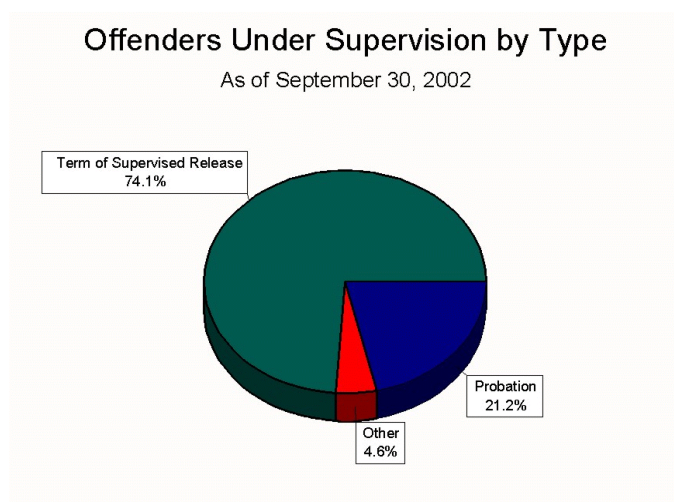


Figure 5 Offenders Under Supervision by Type

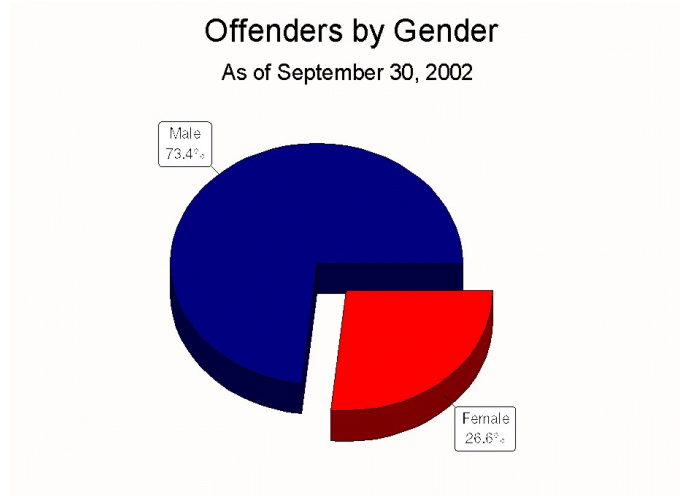


Figure 6 Offenders Under Supervision by Gender

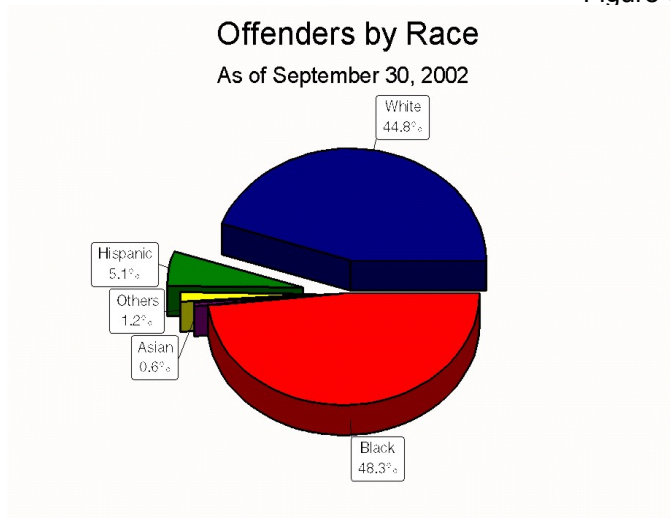


Figure 7 Offenders Under Supervision by Race

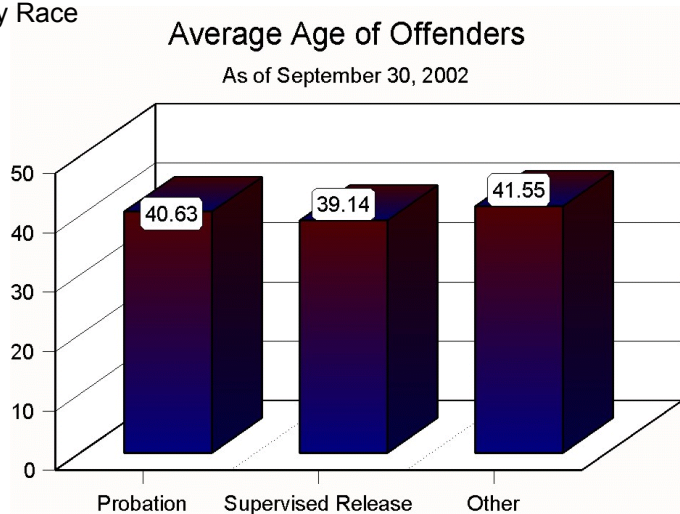


Figure 8 Average Age of Offenders



## **Community Corrections Center Liaisons/Prerelease Assignments**

Three probation officers act as liaisons with Community Correction Centers (CCC's) in the Northern District of Ohio. They insure that prerelease inmates are assigned to probation officers for prerelease programming. The probation officers provide offenders with information about their supervision and coordinate the offenders' programs at the CCC's with case managers. The CCC's are located in the Akron, Youngstown and Toledo metropolitan areas.

## **Community Sanctions Center**

The Court and the Bureau of Prisons utilize Comprehensive Sanctions Centers (CSC's) for prerelease and supervision violator placements. When supervision violators are placed in a CSC, the general conditions are to be more restrictive and sanction-oriented than for offenders at a CCC. There are two probation officers assigned to the CSC in Cleveland.

## **Intake Unit**

Intake functions District-wide include the processing of mail, addressing inactive cases, tracking transfer of jurisdiction requests, answering inmate correspondence, transferring and tracking of files, monitoring and assigning prerelease cases, and processing reports to be sent to jurisdictional authorities.

## **Home Confinement**

The Home Confinement Program (HCP) has been in existence in our District for almost 12 years. It is used as an alternative to incarceration. Fiscal Year 2002 brought numerous changes and challenges to the Program. In October, 2001, the HCP Unit with the assistance of the Automation Unit developed a Home Confinement Database, which is used to track incidents, statistical information, monthly reports, violations, and other information.

In June, the District appointed a home confinement specialist, who coordinates the Program with the assistance of a supervising probation officer. The team consists of a supervising probation officer, home confinement specialist, four probation officers (one in each District Office), and clerical support.

The most significant change occurred nationwide in April, with the change in monitoring companies. The new company, Securicor EMS (SEMS), introduced radio frequency monitoring (RF) to the U.S. Courts and increased technology. Officers are responsible for enrollments, schedule changes, and modifications on the Internet and have direct

access to billing information and schedules via the Internet. The violations are provided via a text message pager to the HCP team with immediate notification of violation conduct. The change to SEMS brought many problems during the initial stages, but most were overcome due to the flexibility and patience of the HCP team.

Variations of monitoring have been used in order to determine the most effective manner of supervising offenders. The HCP team provides intensive community supervision to offenders which includes program monitoring 24 hours a day, 7 days a week, year-round. Our District uses both Electronic and Non-Electronic Monitoring. Electronic Monitoring is the preferred means and provides the most accountability. During this past fiscal year, our District returned to complete case ownership for the HCP team on all new HCP cases and cases with a period of HCP exceeding 60 days. In some cases, the offenders may be jointly supervised by a treatment specialist, special offender specialist, or probation officer.

HCP is utilized as an alternative sanction by the Court, the BOP, and the Parole Commission to impose a sentence, address violation behavior or as a prerelease component of the inmate's sentence. During fiscal year 2002, there were 238 offenders who participated in the program. This is a slight decrease over fiscal year 2001. This decrease was due to increased use of the Sanctions Center and fewer referrals from the BOP.

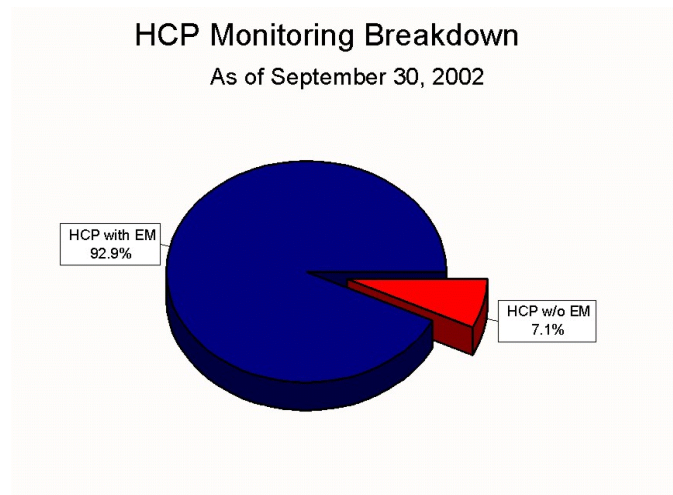


Figure 9 HCP Monitoring Breakdown

The cost of electronic monitoring fluctuated due to the change in monitoring companies. The average number of days for electronic monitoring cases was 221 days. The average number of days for non-electronic cases was 99 days. Home confinement terms of less than 30 days are discouraged.

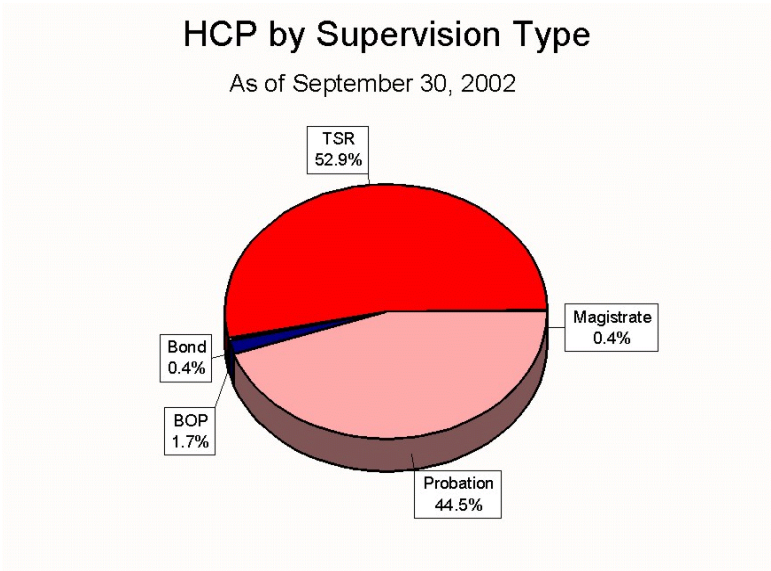


Figure 10 HCP by Supervision Type

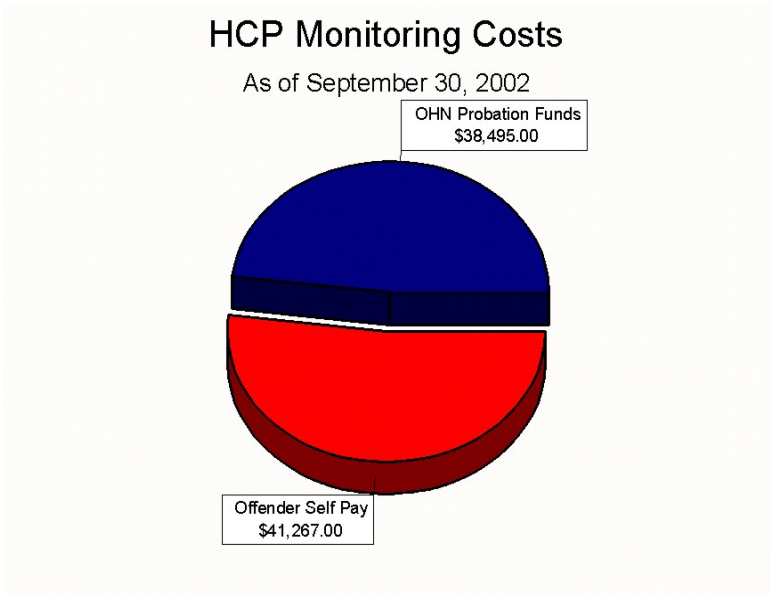


Figure 11 HCP Monitoring Costs

## **Aftercare Treatment**

In fiscal 2002, the Aftercare team for the District was staffed at full complement with the addition of two new aftercare treatment specialists, bringing the total to five. A supervising probation officer and a probation officer assistant also assist the team. There were a total of 569 offenders who had an aftercare condition. Of those, 523 received contract services and 46 received non-contract services.

There were 317 offenders with drug and/or alcohol aftercare conditions and 206 offenders with mental health aftercare conditions. Sex offender aftercare conditions were included under the mental health umbrella.

The goal of the aftercare treatment program continues to be the offering of a continuum of therapeutic programs which utilize individual, group, family and intensive outpatient counseling services, as well as residential programming and drug/alcohol testing. Aftercare services throughout the District were provided by 19 drug/alcohol vendors and 20 mental health vendors. Four of the mental health vendors provided sex offender treatment, and one provided polygraph testing.

There were 10,740 urine specimens collected, and 9% tested positive for drug use. This is a 1% increase from the previous year. The use of hand-held testing devices continued and even increased in fiscal 2002. Sweatpatches and breathalyzers were also used as testing tools.

Drug/alcohol programming and testing costs increased slightly. A total of 56 offenders were afforded residential treatment, which was an increase of 17 offenders from fiscal 2001. The use of Intensive Outpatient Programs (IOP) was also increased. No detoxification services were rendered.

Mental health aftercare costs, which include sex offender treatment and polygraph tests, increased primarily due to a first-time spending of \$18,673.00 for sex offender-specific services.

The treatment team continues to be actively engaged in providing training for probation officers as well as providing personal contact as mentors.



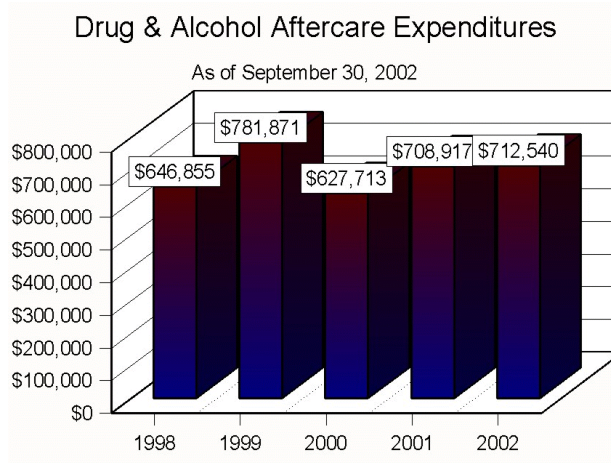


Figure 12 Drug & Alcohol Aftercare Expenditures

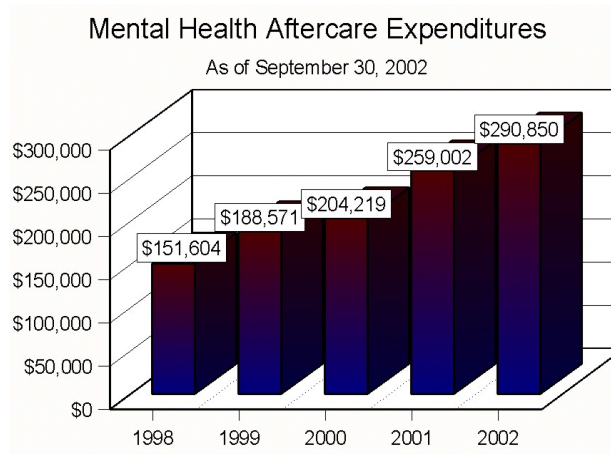


Figure 13 Mental Health Aftercare Expenditures

## Criminal Justice Forum

The Criminal Justice Forum meets every other month and is made up of the Chief Judge, Chief Probation Officer, Chief Pretrial Services Officer, U.S. Marshal, Clerk of Court, Federal Defender, U.S. Attorney and interested Judges and Magistrate Judges. Items of mutual concern are discussed and, at times, these discussions result in policy or procedural changes. In 2002, discussion included collection of fines and restitution, DNA collection from offenders, computer crime monitoring, local detention issues, arraignments of criminal defendants, and judgment orders.

# **SAFETY**

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Training in firearms, defensive tactics, pepper spray (OC) and First Aid/CPR was offered to staff in 2002 under the umbrella of the Safety Committee and with the assistance of Human Resources staff. The Safety Committee is a joint venture between Probation and Pretrial Services.

## **Firearms**

Officers were recertified in the revolver under the direction of a district firearms instructor and several assistant firearms instructors. Additionally, the district firearms instructor and assistant firearms instructors became certified to train in the operation of the .40 caliber semiautomatic Glock. Pursuant to an Administrative Office directive, all districts must transition to this weapon by December 31, 2002.

## **Defensive Tactics**

Staff were offered the opportunity to participate in defensive tactics training provided by our own defensive tactics instructors. Additionally, probation officers carrying firearms were trained in weapon retention. An officer safety instructor was named by the Chief to participate in national training and to coordinate the District's defensive tactics instruction. There is also a Pretrial equivalent.

## **Pepper Spray**

Officers participated in a pepper spray training and recertification.

## **First Aid/CPR**

This training was taught by the Red Cross and offered to interested staff.

## **Safety Manual**

The District NDOH Safety Manual was revised and will be distributed to staff in early 2003. The NDOH Oleoresin Capsicum (OC) Training Manual was also revised and will be distributed as a section of the Safety Manual. Included in the Safety Manual is a new section on the Critical Incident Peer Support Program.

# ADMINISTRATIVE SERVICES

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## Space and Facilities

The Probation Office occupies approximately 43,067 square feet in the District as follows: Akron - 5,879, Toledo - 5,044, Youngstown - 2,375 and Cleveland - 27,769.

The Headquarters Office in Cleveland relocated to the Carl B. Stokes U. S. Court House at the end of July. This transition proved that cooperation and a well-working relationship of 65 employees can make a difference.

In 2003, our Youngstown Office will move into renovated space in the Thomas D. Lambros Federal Courthouse, vacated by the Bankruptcy Court.

## Financial Management

Funding for expenses totaled \$8,090,655. Budget responsibility rests with the Administrative Manager. All budget accounts are assigned to management staff for oversight.

The Budget Group meets quarterly, or as determined by the Administrative Manager. The Administrative Manager meets with the Chief and Deputy Chief Probation Officer if the regularly scheduled meetings are not held.

<b>2002 Expenditures</b> As of September 30, 2002	
<b>Item</b>	<b>Amount</b>
Salaries	\$5,659,945
Law Enforcement (Treatment)	\$1,180,703
Aggregate (General)	\$265,401
Automation	\$262,483
Historical	\$13,416
Sub Total (91.2% of total budget)	\$7,381,948
Amount returned to AO (4.3%)	(\$350,000)
Inter-Unite Transfer to Pretrial Services	(\$200,000)
End of year return (1.9% of total budget)	(\$158,706)
<b>Total</b>	<b>\$8,090,655</b>

Figure 14      2002 Expenditures

## Automation

Information technology continued to be on the move. Ohio Northern migrated to a new e-mail system, Lotus Notes. This was a national move, completed two circuits at a time. The entire Cleveland Court family moved into the new Cleveland courthouse, and, during the process, the Probation Office lost no hardware or data.

The gathering of Court family members in Cleveland allowed Probation and Pretrial Services to share a single data line for access to the Law Enforcement Automated Data System (LEADS) and Ohio's access to the National Criminal Information Center (NCIC). This arrangement is similar to our shared installation in the Akron courthouse. These collaborative efforts provide monthly savings to both offices.

The Probation IT staff provided new services and equipment during the fiscal year. New service was presented in the form of a new database application for capturing and reviewing information on offenders in the Comprehensive Sanctions Center (CSC). This database captures officer identified data elements not currently contained in the Probation/Pretrial Automated Case Tracking System (PACTS). New equipment included personal data assistants (PDA) that provide officers with an electronic version of their caseload. For officers with offenders under supervision this includes digital color images. The final color flat panel displays were installed for Probation staff not upgraded in fiscal year 2001.

The Probation Automation Users Group was reinvigorated in fiscal year 2002. The mission of the local Users Group is to encourage and promote technology and the flow of ideas and communication among all members of the Probation staff, and to provide an effective forum to assist the Probation Office for the Northern District of Ohio to achieve its goals.

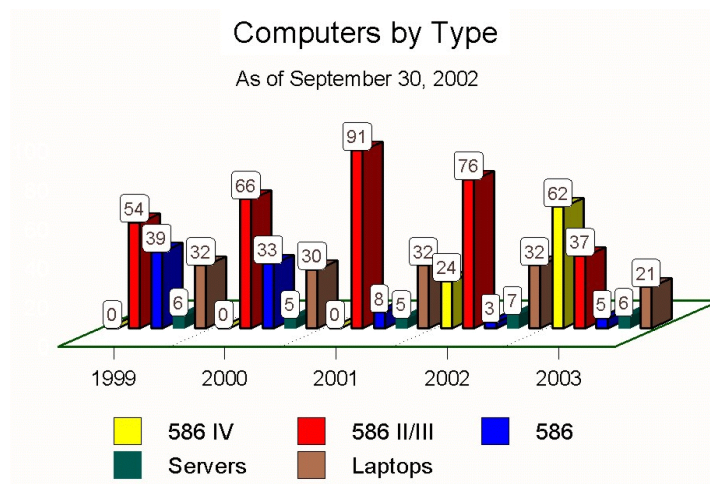


Figure 15 Computers by Type

# HUMAN RESOURCES

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## **Personnel**

The Probation Office received a staff allocation of 106.6, and the District was staffed with 101 employees filling 100 positions. Because of our growth, once again Human Resources focused on recruiting. Eight new employees entered on duty, two non-hazardous staff and six probation officers. At the end of the fiscal year, five probation officer candidates were awaiting final appointment. To address the changing demands of our work, new probation officer specialist positions were created in the areas of Home Confinement, Special Offenders, and Computer Crimes.

## **Training and Development**

Training for staff focused in the areas of safety and information directly associated with our work. Over 46% of completed training hours were related to safety which included Defensive Tactics, CapStun Certification, Firearms, Personal Security, CPR and First Aid Certification. Several staff participated in a Search Team Coordinators Academy hosted by the District of Nevada. A Specialist from the Eastern District of New York was brought into our District to present training to staff, and two of our probation officers assisted with Scenario Based Training in the Southern District of Ohio.

Approximately 33% of training focused on information, policies and procedures relative to the role of the Probation Office. These included the 2002 Presentence Meeting which brought together staff specialists in Sentencing & Guidelines, Presentence Reports, Case Law and Economic Crimes. Other programs during the year included Cyber Crimes, DNA Testing, Electronic Monitoring/Home Confinement, Gangs and Threat Groups training. Our new officers continue to participate in the Federal Judicial Center's New Officer Orientation program.

The remaining 21% of completed training was in the areas of administrative and organizational programs such as Travel Rules & Regulations, Managing Performance, Cultural Diversity and Automation. Many of our staff continue to act as facilitators and trainers for other districts and the FJC.



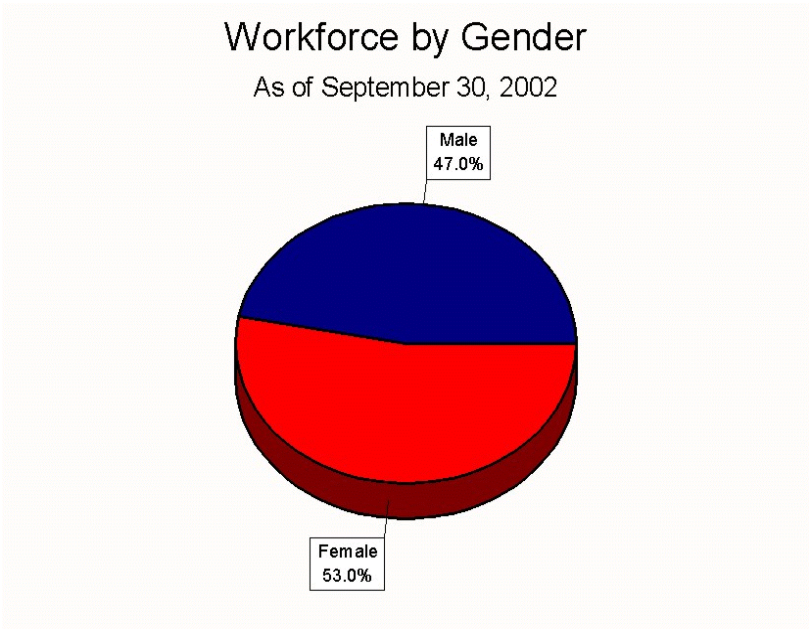


Figure 16 Workforce by Gender

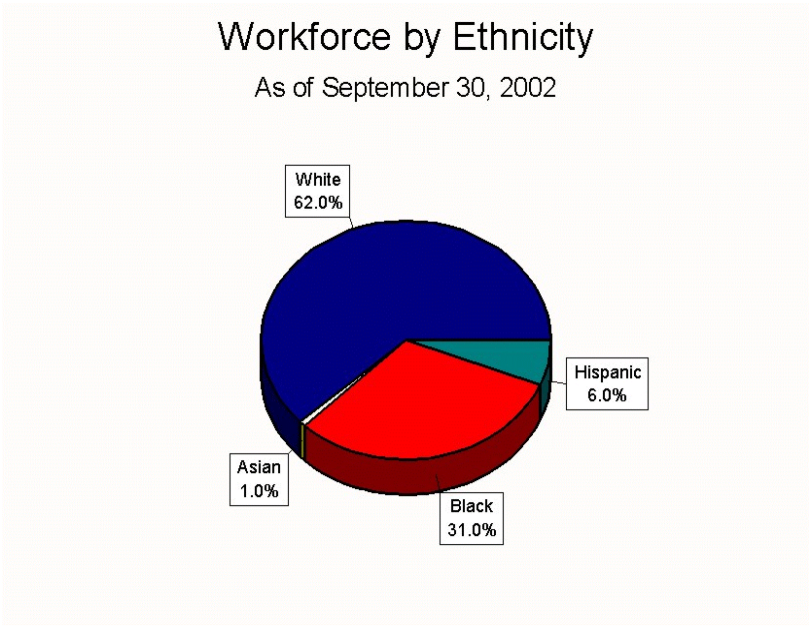


Figure 17 Workforce by Ethnicity

Probation Officer Experience		
Time in Service	Number of Staff	Percent
20 or more years	9	14%
15 - 19 years	0	0%
10 - 14 years	25	38%
5 - 9 years	9	14%
3 - 4 years	10	14%
2 years or less	13	20%
<b>Total</b>	<b>66</b>	<b>100%</b>

Figure 18 Probation Officer Experience

Educational Level of Probation Officers		
Degree Type	Number of Staff	Percent
Bachelor's Degree	17	26%
Master's Degree	47	71%
J. D.	2	3%
<b>Total</b>	<b>66</b>	<b>100%</b>

Figure 19 Educational Level of Probation Officers

Tenure of Probation Staff		
Time in Service	Number of Staff	Percent
20 or more years	15	15%
15 - 19 years	9	9%
10 - 14 years	40	39%
5 - 9 years	12	12%
3 - 4 years	7	7%
2 years or less	18	18%
<b>Total</b>	<b>101</b>	<b>100%</b>

Figure 20 Tenure of Probation Staff

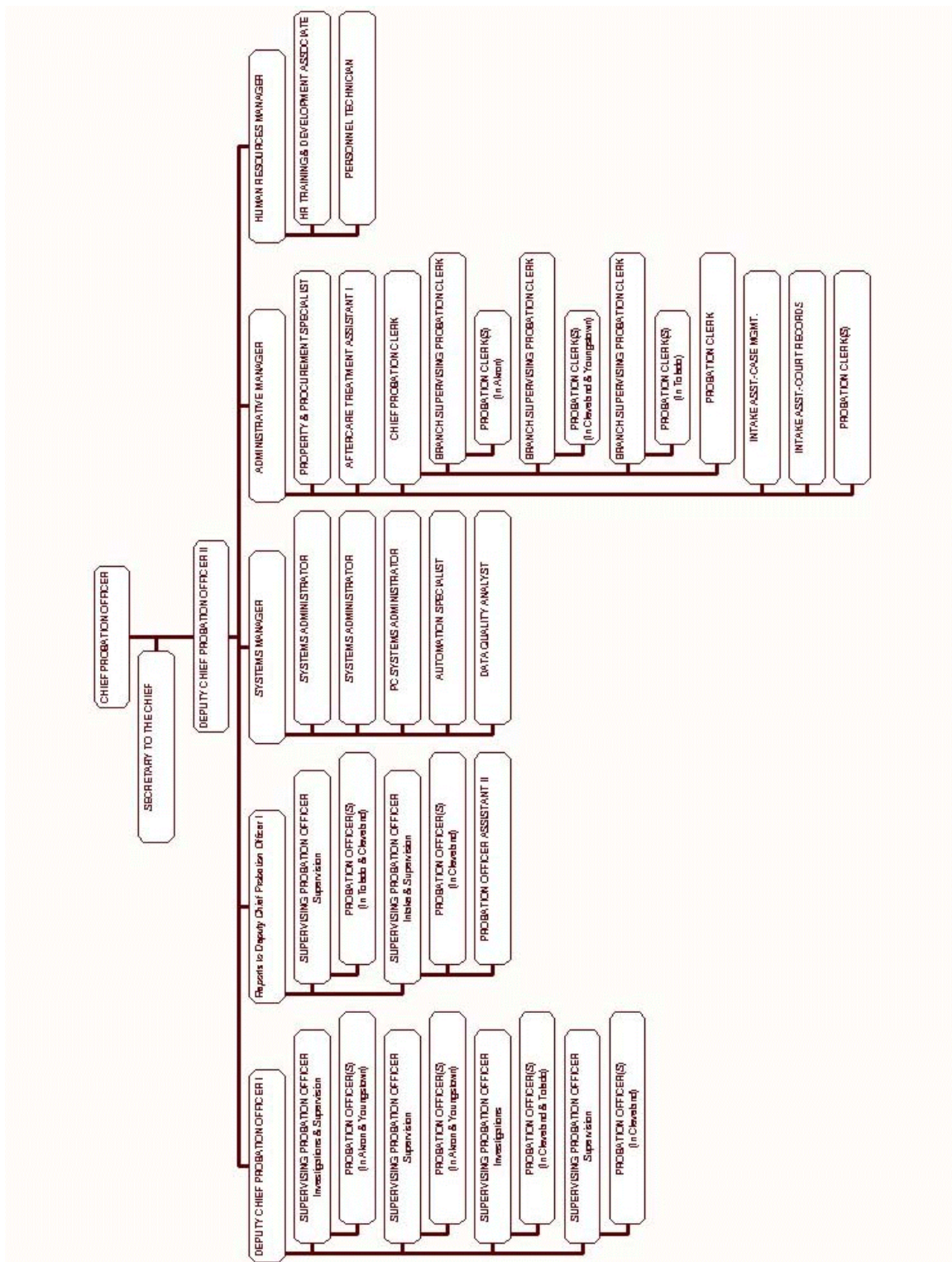


Figure 21 Probation Office Organizational Chart



# Office Locations

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## **Cleveland Headquarters Address**

Carl B. Stokes U.S. Court House  
801 West Superior Avenue, Suite 3-100  
Cleveland, Ohio 44113-1850  
**Telephone:** 216.357.7300

## **Akron Office Address**

U.S. Courthouse and Federal Building  
2 South Main Street, B3-55  
Akron Ohio 44308-1810  
**Telephone:** 330.375.5774

## **Toledo Office Address**

215 N. Summit Street, Suite A  
Toledo, Ohio 43604-2659  
**Telephone:** 419.259.6432

## **Youngstown Office Address**

Thomas D. Lambros U.S. Courthouse & Federal Building  
125 Market Street, Suite 232  
Youngstown, Ohio 44503-1478  
**Telephone:** 330.743.0933

# FEDERAL PROBATION AND PRETRIAL SERVICES SYSTEM

## MISSION

As the component of the federal judiciary responsible for community corrections, the Federal Probation and Pretrial Services System is fundamentally committed to providing protection to the public and assisting in the fair administration of justice.

## BELIEFS

### We Believe...

In the right of all persons to be treated with dignity and fairness.

In our role of ensuring that the court is provided information vital to making appropriate pretrial release decisions and imposing just and fair sentences.

In the protection of the public as the most vital aspect of community supervision and in proper supervision as the best means to control and reduce risk.

In the ability of people to change and in our responsibility to provide persons under our supervision with opportunities for treatment.

In individual commitment to a shared vision as the best way to achieve our mission.

## VISION

The Federal Probation and Pretrial Services System strives to exemplify the highest ideals and standards in community corrections.

*This Statement was approved by the Chief Advisory Council in May 1993 and by the Judicial Conference of the United States in September 1993.*